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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/709,020	04/07/2004	Adam Matthew Holms	03HOLMS1	3019
23652	7590	10/19/2006	EXAMINER	
MICHAEL G PETIT 123 W PADRE ST., SUITE F P O BOX 91929 SANTA BARBARA, CA 93190			HENDERSON, MARK T	
			ART UNIT	PAPER NUMBER
			3722	

DATE MAILED: 10/19/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>
	10/709,020	HOLMS, ADAM MATTHEW
	<b>Examiner</b>	<b>Art Unit</b>
	Mark T. Henderson	3722

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) Responsive to communication(s) filed on 21 September 2006.
- 2a) This action is FINAL.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) Claim(s) 5-8 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 5-8 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- 1) Notice of References Cited (PTO-892)
- 2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_ .
- 5) Notice of Informal Patent Application
- 6) Other: Attachment I.

## **DETAILED OFFICE ACTION**

### **Faxing of Responses to Office Actions**

In order to reduce pendency and avoid potential delays, TC 3700 is encouraging FAXing or responses to Office Actions directly into the Group at (571) 273-8300. This practice may be used for filing papers, which require a fee by applicants who authorize charges to a PTO deposit account. Please identify the examiner and art unit at the top of your cover sheet. Papers submitted via FAX into TC 3700 will be promptly forwarded to the examiner.

1. Claims 1-4 have been canceled. Claims 5-8 have been added for further examination.

### ***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 5-8 are finally rejected under 35 U.S.C. 103(a) as being unpatentable over Lederman (4,606,554) in view of Stavens (1,011,651).

Lederman discloses in Fig. 1 and 2, a book comprising: a front cover (14a), a back cover (14b); a plurality of pages (12) therebetween; wherein the covers and pages are bound together by any desirable means (Col. 2, lines 12-15); wherein the covers and pages having a left facing surface and a right facing surface (see Fig. 1 which depicts the pages; and Fig. 2 which depicts the covers); wherein the covers and pages contain graphical characters (20) and text in a single language (English) such that the graphical characters are configured in an upright position on the right facing surface (or back surface of a page); and are the same (Col. 2, lines 17-19), but inverted (on a left facing surface (or front surface of a page) as shown in Fig. 1 and 2.

However, Lederman does not disclose wherein the pages and cover are connected by spine.

Stavens discloses in Fig. 1 and in Attachment I, a book comprising covers (1a and 1b) and leaves (2), wherein the covers and leaves are bound or fastened together by a spine (4).

Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify Lederman's book with a connecting means comprising a spine as taught by Stavens for providing a means in which to bind the pages with the cover.

***Response to Arguments***

3. Applicant's arguments with respect to claims 5-8 have been considered but are moot in view of the new ground(s) of rejection.

Lederman is now used to disclose a book comprising a cover and pages, both having graphics in which a left surface has the inverted graphic of a right surface of the either the pages or covers. Stavens is used to disclose a book having pages and covers bound together by a spine.

***Prior Art***

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Winslow, Keville, and Clements disclose a similar book.

***Conclusion***

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

**Contact Information**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mark T. Henderson whose telephone number is (571) 272-4477, and informal fax number is (571) 273-4477. The examiner can be reached on Monday-Friday from 9:00AM to 3:45PM. If attempts to reach the examiner by telephone are unsuccessful, the Examiner Supervisor, Monica Carter, can be reached at (571) 272-4475. The formal fax number for TC 3700 is (571) 273-8300.



MTH

October 15, 2006



Monica S. Carter  
MONICA CARTER  
SUPERVISORY PATENT EXAMINER

ATTACHMENT I

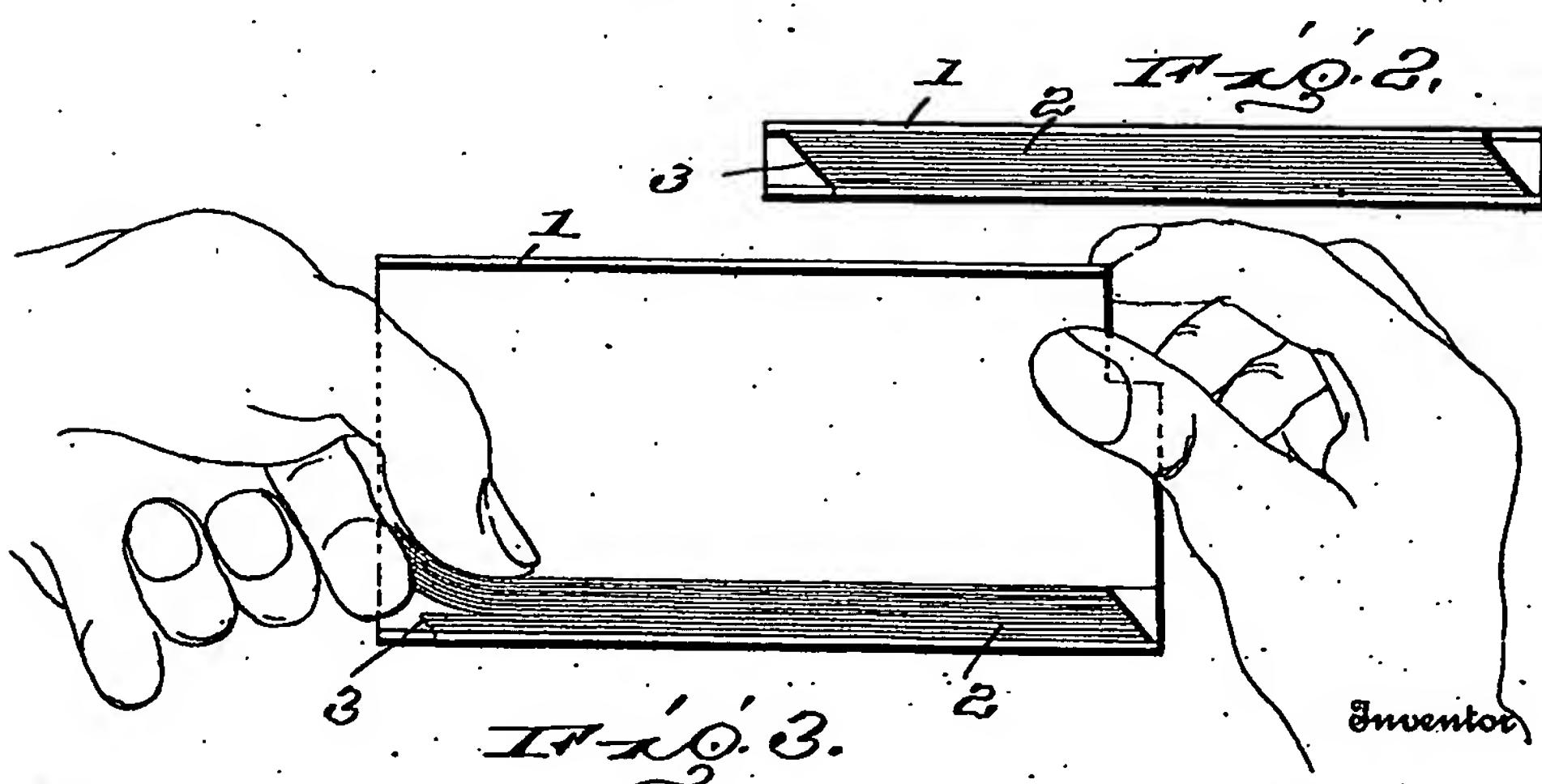
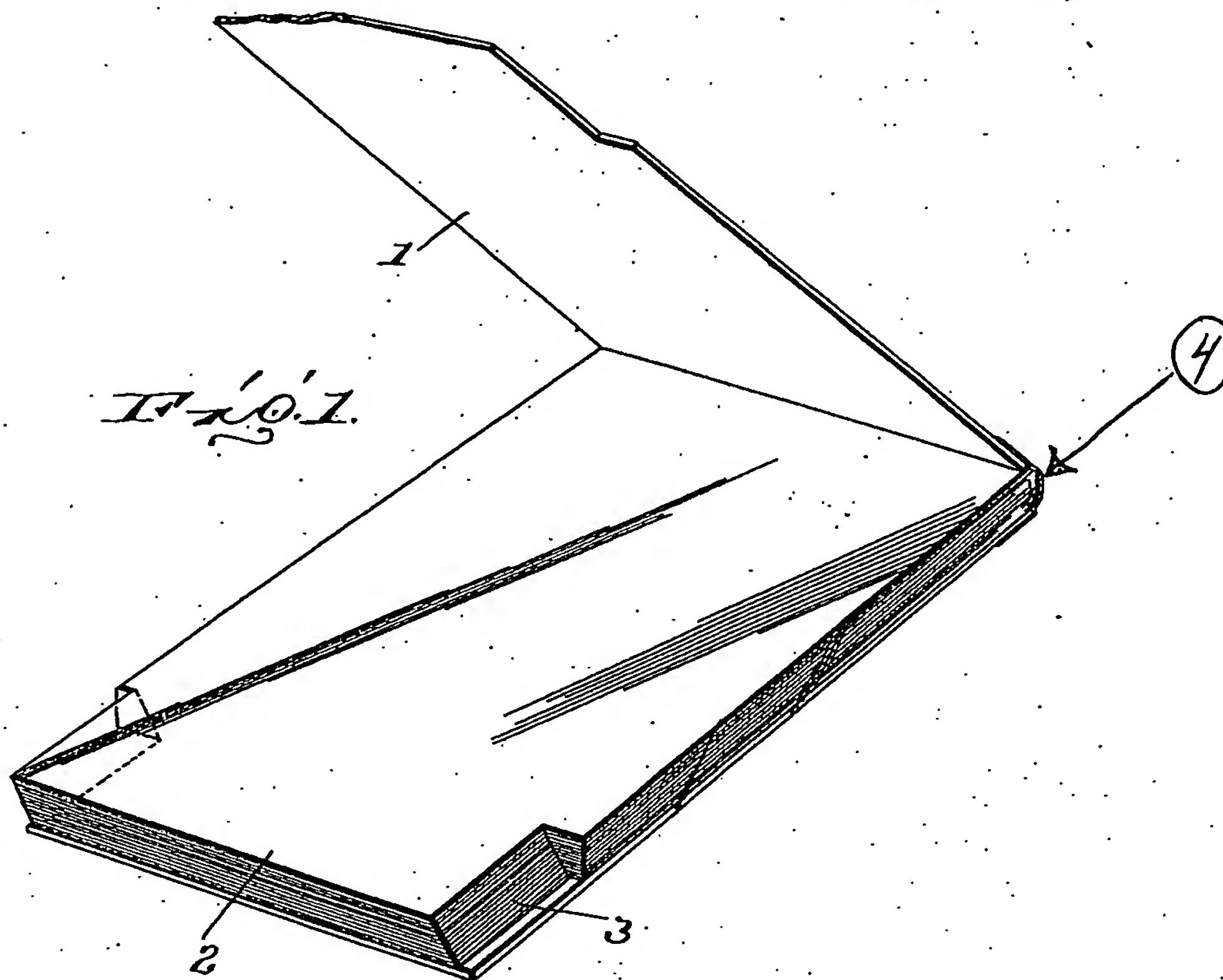
G. STAVENS.

NOTE BOOK

APPLICATION FILED APR. 6, 1911.

1,011,651.

Patented Dec. 12, 1911.



Witnesses

W. A. Woodburn

Leon A. Shady

G. Stavens

By

H. M. Haas, Attorney